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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, QUANG N	
ART UNIT	**PAPER NUMBER**
2141	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/343,183	KATO, MASAMI	
	Examiner	Art Unit	
	Quang N. Nguyen	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19-30,40 and 46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-30,40 and 46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 June 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detail Action

1. This Office Action is in response to the Amendment filed on 12/08/2004. Claim 48 has been canceled. Claims 19-30, 40 and 46 remain for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 19-24, 26, 40, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US 5,991,276), in view of Sekiguchi et al. (US 5,848,134) and in further in view of Brunson (US 5,673,205).

4. As to claims 19 and 22, Yamamoto teaches a multipoint videoconference system *(in real-time)* including a videoconference server, comprising:

a receiving device adapted to receive image data and voice data from a first terminal which communicates image data and voice data to be distributed to a second terminal which communicates via at least text data or voice data *(from the user terminals involved, the video conference servers 9a and 9b receives video and audio signals as well as other signals)* (Yamamoto, C4: L32-41);

a data distributing device adapted to distribute the image data and the voice data to the second terminal in a case where the second terminal is a dedicated video conference terminal, and to distribute the generated text data and generated image file to the second terminal in a case where the second terminal is a general-purpose terminal *(i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the various user terminals involved in the conference via the ATM-SW 8)* (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-47).

However, Yamamoto does not explicitly teach a control device adapted to control a way of distributing data corresponding to a kind of the second terminal; a voice recognition device adapted to recognize the voice data and to generate text data based upon the recognized voice data and an image file generating device adapted to generate an image file on the basis of the received image data.

In a related art, Sekiguchi teaches a method and system which allow a real-time message exchange between terminals of different media types by converting messages from one terminal into messages in data formats respectively compatible with other terminals *(such as converting from voice to text and vice versa)*, based on the terminal information via the control module 14 that recognizes or determines the type of media of terminal; and transmitting the converted messages to the corresponding terminals (Sekiguchi, C2: L24-35, C6:L54 – C7:L5 and C13: L10-23).

In another related art, Brunson teaches multimedia messaging system allows message recipients who lack full-motion video message-retrieval capability to retrieve at least some image content of video messages via video snapshots-image frames retrieved as still images by converting moving-image format *(first image data)* to bit-map image format *(second image data)* and transferring the bit-map image data to the user's terminal (Brunson, Abstract, C5: L17-65).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto, Sekiguchi and Brunson to include a control device adapted to control a way of distributing data corresponding to a kind of the second terminal *(by Sekiguchi)*; a voice recognition device adapted to recognize the voice data and to generate text data based upon the recognized voice data *(by Sekiguchi)* and an image file generating device adapted to generate an image file on the basis of the received image data *(by Brunson)* since such methods were conventionally employed in the art to allow the system to provide a visual display of speech *(voice data presented as text data)* for participants of a conference that can communicate via text data but not voice data and also to provide still picture data for participants with limited resources *(software/hardware or limited transmission capacity)* to receive and play the video data, wherein text data packets representing speech and still picture data *(instead of movie picture data)* are streaming at a lower data rate and the transmission of the text data packets and the still picture data may be performed at a lower bandwidth therefore faster than the transmission of voice data packets and the video data over a network.

5. As to claim 20, Yamamoto-Sekiguchi-Brunson teaches the apparatus of claim 19, wherein said data distributing device distributes the text data in real-time *(i.e., Yamamoto teaches a multipoint videoconference system in real-time)*.

6. As to claims 21 and 23-24, Yamamoto-Sekiguchi-Brunson teaches the apparatus of claim 19, wherein said data distributing device further distributes the text data, which has been entered from the second terminal, to the first terminal; and wherein the first and second terminals have a data conferencing function based upon text-chat data (Yamamoto, C6: L49-51 and C8: L25-63).

7. As to claim 26, Yamamoto-Sekiguchi-Brunson teaches the system as in claim 19, wherein the second terminal is connected via the Internet Protocol *(each video conference terminal transmits a video signal, audio signal, and a material data signal over an ATM network, i.e., via Internet Protocol)* (Yamamoto, Abstract and Sekiguchi, C2: L56-63).

8. Claims 40 and 46 are corresponding control method and recording medium claims of claim 19; therefore, they are rejected under the same rationale.

10. Claims 25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto-Sekiguchi-Brunson, in view of Berry et al. (US 6,404,747), herein after referred as Berry.

11. As to claim 25, Yamamoto-Sekiguchi-Brunson teaches the system as in claim 22, but does not explicitly teach the text-chat data is in compliance with ITU-T Recommendation T.120.

In a related art, Berry teaches a Video Multimedia Call Center (VMMCC) with multipoint access through a PBX (private branch exchange) within an ACD (automatic call distribution) environment has both audio and video capabilities wherein the T.120-series of recommendations to provide a means for telecommunicating all forms of data/telematic media between 2 or more endpoints (Berry, C5: L46-67 and C6: L1-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto-Sekiguchi-Brunson and Berry wherein the text-chat data is in compliance with ITU-T Recommendation T.120 since such methods/techniques were well-known and conventionally employed in the field of multimedia communications.

12. As to claims 27-28, Yamamoto-Sekiguchi-Brunson-Berry teaches the system as in claim 26, wherein a web page *(HTML-format hypertext data)* is generated for the second terminal, including the image data *(Yamamoto, 5 participants, Mr. A to Mr. E)* (Berry, C12: L3-8 and Yamamoto, C6: L42-49).

13. As to claims 29-30, Yamamoto-Sekiguchi-Brunson-Berry teaches the system as in claim 19, wherein the dedicated terminals are dedicated videoconferencing terminals in compliance with any of ITU-T Recommendations H.320, H.323 and H.324; and wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243 (Berry, C6: L5-52).

14. Applicant's request for reconsiderations as well as arguments filed on 12/08/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER